IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.3248 OF 2005

Shivaji @ Balu T. Chaudhary ...Applicant.
V/s.
State of Maharashtra ...Respondent.

Ms.Ayubi, adv. appointed for the Applicant.
Ms.S.V.Gajare, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 9th April, 2007.

P.C.:

1. None for the applicant. Heard Ms.Gajare, the learned APP for the State.

2. This is an application dated 15-2-2007 from the applicant, who is detained in Yervada Central jail as undertrial prisoner in a case under the MCOC Act. He had made serious allegations against the Additional Superintendent of Police about beating and ill-treatment and about forcing him to put signatures on certain documents and confessions. The said police officer Pravin C. Patil has also filed affidavit denying all these allegations.

3. It appears that the applicant had made similar complaint against the Pravin C. Patil and other police officers before the Human Rights Commission and from his

application, it appears that the Human Rights Commission had issued atleast 3 letters to the jail superintendent for production of applicant before the Human Rights Commission for giving hearing in the matter. However, it appears that the jail authorities did not comply on the ground that unless there is production warrant or unless there is an order from the Court, the accused can not be taken out from the Jail. His main request in the application is that the jail authorities may be directed to produce him before the Human Rights Commission for the purpose of enquiry.

4. Ms.Gajare, the learned APP states that appropriate direction may be given to the jail authorities for production of the applicant so that he may be given an opportunity of being heard. This application may be disposed off with such direction.

5. The Superintendent, Yervada Central Jail is hereby directed to produce the present applicant/accused before the Human Rights Commission on such date as the Human Rights Commission may direct.

6. The application stands disposed off with the aforesaid directions.

(J.H.Bhatia,J.)